

Amendment Under 37 C.F.R. § 1.114(c)  
USSN 09/911,519

**REMARKS**

Claims 1-21 are all the claims pending in the application, the claims having been amended. Reconsideration of the application and allowance of all claims are respectfully requested in view of the amendments and the following remarks.

In the Office action mailed March 16, 2005, the examiner has rejected claims 1-13, 15 and 16 under 35 USC 103 as unpatentable over Shiinon and Bush, and claim 14 is rejected under 35 USC 103 as unpatentable over the same art and in further view of Nordbotten. This rejection is respectfully traversed.

A central feature of all pending claims is the use of a pilot code to code a reference data packet, the pilot code being different from the communication code used to code the user information for transmission. Shiino teaches that the packets are coded, but not with a pilot code, and not with a code different from the code used to code the user information. It is not possible to use a different code to code the pilot code when the pilot code is contained within the packet and the entire packet is coded together.

The independent claims have been amended to emphasize that the pilot code and communication code are different, thus clarifying the distinction over the applied prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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